

# **EXHIBIT 3**

M&T BANK - DOCUMENTS WITHHELD AS PRIVILEGED								
Internal Document ID	Doc. Type	Date	From	TO	CC	Subject	Responsiveness	Additional Information
REV0000077	Email string	11/14/2016	Mellin, Matthew P.	Driscoll, Michael		Administrative Expenses Amendment	Privileged. Legal advice given to persons other than fiduciaries.	
		8/12/2016	Mellin, Matthew P.	Driscoll, Michael		Administrative Expenses Amendment	Privileged. Legal advice given to persons other than fiduciaries.	
REV0000078	Draft					Administrative Expenses Amendment	Privileged. Legal advice given to persons other than fiduciaries.	
REV0000082	Email	8/12/2016	Mellin, Matthew P.	Driscoll, Michael		AdminIstrative Expenses Amendment	Privileged. Legal advice given to persons other than fiduciaries.	
REV0000083	Draft					Adminstrative Expenses Amendment	Privileged. Legal advice given to persons other than fiduciaries.	

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REV0000164	Email	9/6/2018	Mellin, Matthew P.	Rizzuto Sr, Joseph		Administrative Budget Distribution Options	Privileged. Legal advice given to persons other than fiduciaries.	
REV0000385	Email	10/21/2013	Mellin, Matthew P.	Partlow III, Ralph		Investments in Wilmington Trust Mutual Funds	Privileged. Legal advice given to persons other than fiduciaries.	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
REV0000409	Email	1/2/2015	Mellin, Matthew P.	Yoshida, Brian		Investments in Wilmington Trust Mutual Funds	Privileged. Legal advice given to persons other than fiduciaries.	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
REV0000444	Email	2/16/2015	Mellin, Matthew P.	Yoshida, Brian		Investments in Wilmington Trust Mutual Funds	Privileged. Legal advice given to persons other than fiduciaries.	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
REV0000445	Memorandum	2/16/2015	Mellin, Matthew P.	Yoshida, Brian		Investments in Wilmington Trust Mutual Funds	Privileged. Legal advice given to persons other than fiduciaries.	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.

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REV0000454	Email String	10/2/2017	Mellin, Matthew P.	Yoshida, Brian		Investment Policy Statement	Privileged. Legal advice given to persons other than fiduciaries.	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
		10/2/2017	Mellin, Matthew P.	Rizzuto Sr, Joseph Hoffacker, Brett	Otterson, John Seivold, Stephen Glasser, Matthew Odrobina, Ann Marie	Investment Policy Statement	Privileged	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
		9/27/2017	Rizzuto Sr, Joseph	Mellin, Matthew P. Hoffacker, Brett	Otterson, John Seivold, Stephen Glasser, Matthew Odrobina, Ann Marie	Investment Policy Statement	Privileged	
		9/27/2017	Mellin, Matthew P.	Rizzuto Sr, Joseph Hoffacker, Brett	Otterson, John Seivold, Stephen Glasser, Matthew Odrobina, Ann Marie	Investment Policy Statement	Privileged	
		8/25/2017	Rizzuto Sr, Joseph	Hoffacker, Brett Osrobina, Ann Marie	Otterson, John Seivold, Stephen Glasser,Matthew Mellin, Matthew P.	Investment Policy Statement	Privileged	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
		8/24/2017	Hoffacker, Brett	Rizzuto Sr, Joseph Osrobina, Ann Marie	Otterson, John Seivold, Stephen Glasser, Matthew	Investment Policy Statement	Privileged	
REV0000455	Attachment					Investment Policy Statement	Privileged	
REV0000456	Draft					Investment Policy Statement	Privileged	

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REV0000458	Email	8/3/2018	Rizzuto Sr, Joseph	Mellin, Matthew P.	Odrobina, Ann Marie	Investment Policy Statement	Privileged	Contains reference to advice from class action litigation counsel.
REV0000476	Email	8/3/2018	Rizzuto Sr, Joseph	Mellin, Matthew P.	Odrobina, Ann Marie	Investment Policy Statement	Privileged	Contains reference to advice from class action litigation counsel.
REV0000578	Email string	3/5/2018	Mellin, Matthew P.	Rizzuto Sr, Joseph	Odrobina, Ann Marie	SmartDollar Expenses	Privileged	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
		2/27/2018	Rizzuto Sr, Joseph	Mellin, Matthew P. Odrobina, Ann Marie		SmartDollar Expenses		
REV0000579	Attachment					SmartDollar Expenses	Privileged	
REV0000580	Attachment					SmartDollar Expenses	Privileged	
REV0000644	Email	12/23/2015	Mellin, Matthew P.	Yoshida, Brian Ronan, Sean	Rizzuto Sr, Joseph Thrope, Jerrold A.	Nichols Kaster lawsuit vs. Deutsche Bank	Privileged. Legal advice given to persons other than fiduciaries.	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
REV0000645	Complaint					Nichols Kaster lawsuit vs. Deutsche Bank	Attachment	
REV0000676	Email	12/11/2015	Mellin, Matthew P.	Yoshida, Brian Ronan, Sean	Rizzuto Sr, Joseph Thrope, Jerrold A.	Mutual Fund Fee Disclosure	Privileged. Legal advice given to persons other than fiduciaries.	

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REV0000677	Draft					Mutual Fund Fee Disclosure	Privileged. Legal advice given to persons other than fiduciaries.	
REV0000716	Email string	2/1/2016	Mellin, Matthew P.	Rizzuto Sr, Joseph	Odrobina, Ann Marie Yoshida, Brian Ronan, Sean Bowlus, Jeb	Letter from J. Marlene Smith	Privileged. Legal advice given to persons other than fiduciaries.	Advice relates to response to Nichols Kaster letters.
		1/18/2016	Rizzuto Sr, Joseph	Mellin, Matthew P.	Odrobina, Ann Marie	Letter from J. Marlene Smith	Privileged	
		1/15/2016	Rizzuto Sr, Joseph	Mellin, Matthew P.		Letter from J. Marlene Smith	Privileged	
REV0000717	Letter	1/12/2016	Smith, J. Marlene	M&T Employee Benefit Plan Committee		Letter from J. Marlene Smith	Attachment	
REV0000733	Memorandum	12/11/2015	Mellin, Matthew P.	Yoshida, Brian		Class Action Lawsuits	Privileged. Legal advice given to persons other than fiduciaries in response to letters sent by Nichols Kaster.	Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.

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REV0000735	Email string	10/12/2015	Yoshida, Brian	Mellin, Matthew P. Odrobina, Ann Marie Rizzuto Sr, Joseph		Class Action Lawsuits	Privileged. Legal advice given to persons other than fiduciaries.	Advice relates to analysis of potential claims against M&T and affiliated entities. Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
		10/12/2015	Mellin, Matthew P.	Odrobina, Ann Marie Rizzuto Sr, Joseph Yoshida, Brian		Class Action Lawsuits	Privileged. Legal advice given to persons other than fiduciaries.	Advice relates to analysis of potential claims against M&T and affiliated entities. Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
REV0000738	Email	12/11/2015	Mellin, Matthew P.	Yoshida, Brian Ronan, Sean	Rizzuto Sr, Joseph Thrope, Jerrold A.	Class Action Lawsuits	Privileged. Legal advice given to persons other than fiduciaries.	Advice relates to analysis of potential claims against M&T and affiliated entities. Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.

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REV0000739	Memorandum	12/11/2015				Class Action Lawsuits	Privileged. Legal advice given to persons other than fiduciaries.	Advice relates to analysis of potential claims against M&T and affiliated entities. Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
REV0000744	Memorandum	2/16/2015				Investments in Wilmington Trust Mutual Funds	Privileged. Legal advice given to persons other than fiduciaries.	Advice relates to analysis of potential claims against M&T and affiliated entities. Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.
REV0000866	Email string	8/12/2014	Odrobina, Ann Marie	Mellin, Matthew P. Rizzuto Sr, Joseph	Yoshida, Brian	Wilmington Risk	Advice relates to analysis of potential claims against M&T and affiliated entities.	Advice relates to analysis of potential claims against M&T and affiliated entities. Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.



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		8/11/2014	Mellin, Matthew P.	Odrobina, Ann Marie Rizzuto Sr, Joseph	Yoshida, Brian	Wilmington Risk	Advice relates to analysis of potential claims against M&T and affiliated entities.	Advice relates to analysis of potential claims against M&T and affiliated entities. Also, advice relates to potential liability and is within the exception to the lack of privilege if advice is deemed given to fiduciaries.